

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.6160 OF 2005

Newton Equipments Pvt. Ltd. & Ors.....Petitioners

Versus

State of Maharashtra & Ors.....Respondents

Mr. P.B. Shah for the Petitioners

Mrs. S.S. Bhende, AGP for respondent Nos. 1 and 2.

Mr. K.V. Tembe, for Respondent NO.3.

CORAM: F.I. REBELLO &

DR.D.Y. CHANDRACHUD, JJ.

DATE : 4TH OCTOBER, 2005

P.C.:

. The challenge to the constitutional validity of Section 101 was rejected by a Division Bench of this Court in **M/s.Annapurna Engineering Corporation & Ors. vs. State of Maharashtra** decided on 11th June, 2003. The learned Counsel, however, points out that in respect of another petition notice has been issued. Even if that be so, the law as it now stands is that the constitutional validity of Section 101 has been upheld. Once that be the case the petitioner has a remedy under Section 154. That being the case this would not be a fit case for this Court to exercise its extra ordinary jurisdiction. Hence petition rejected.

(F.I.REBELLO, J.)

(DR. D.Y. CHANDRACHUD, J.)